



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment.*


## PUBLIC NOTICE

## CLARIFICATION

### Lawrence Culp, P/N# 2007-2127-2IM-P

The Army Corps of Engineers (ACOE) has placed the above application on a Joint Public Notice on October 19, 2007. The ACOE has listed that the bulkhead will be behind the OCRM line, however there are portions that will encroach channelward of the OCRM line and will need direct authorization from OCRM. **Comments will therefore be received by OCRM on both the dock and bulkhead components for this notice.**

Comments will be received on this public notice at the address below until November 3, 2007. For further information, please contact the project manager, Fred Mallett, 843-953-0326

 October 19, 2007

**JOINT**  
**PUBLIC NOTICE**

CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107  
and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
Office of Ocean and Coastal Resource Management  
1362 McMillan Avenue, Suite 400  
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N #2007-2127-2IM -P

October 19, 2007

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 409), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

**MR. LAWRENCE CULP**  
**863 ALVEMAR RIDGE ROAD**  
**McLEAN, VA 22102**

for a permit to construct a dock in the

**BASS CREEK**

At Lot 68, in the Otter Island Subdivision, Kiawah Island, Charleston County, South Carolina (Latitude 32.61456, Longitude -80.043756)

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, NOVEMBER 19, 2007**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the modification of an existing structure currently consisting of a 122' walkway leading to an existing 8' x 20' floating dock connected with a 4' x 20' gangway as seen on sheet three of the attached drawings. The modification of the structure will consist of adding a 25' x 10' pierhead to the existing walkway, relocating the gangway and floating dock downstream of the proposed pierhead, and adding a 12' x 12' four pile boatlift to the landward side of the proposed pierhead. Additionally, the applicant has proposed to construct 970 linear feet of bulkhead above the OCRM critical line. Since the bulkhead will be placed above the OCRM Critical line and no waters of the U.S. will be impacted, a permit will not be required for this activity. See attached drawings for details. This public notice therefore is only for the proposed dock modifications. The purpose of the proposed work, as stated by the applicant, is for the owner's private, recreational use.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project.**

October 19, 2007

**The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from

REGULATORY DIVISION

Refer to: P/N #2007-2127-2IM

October 19, 2007

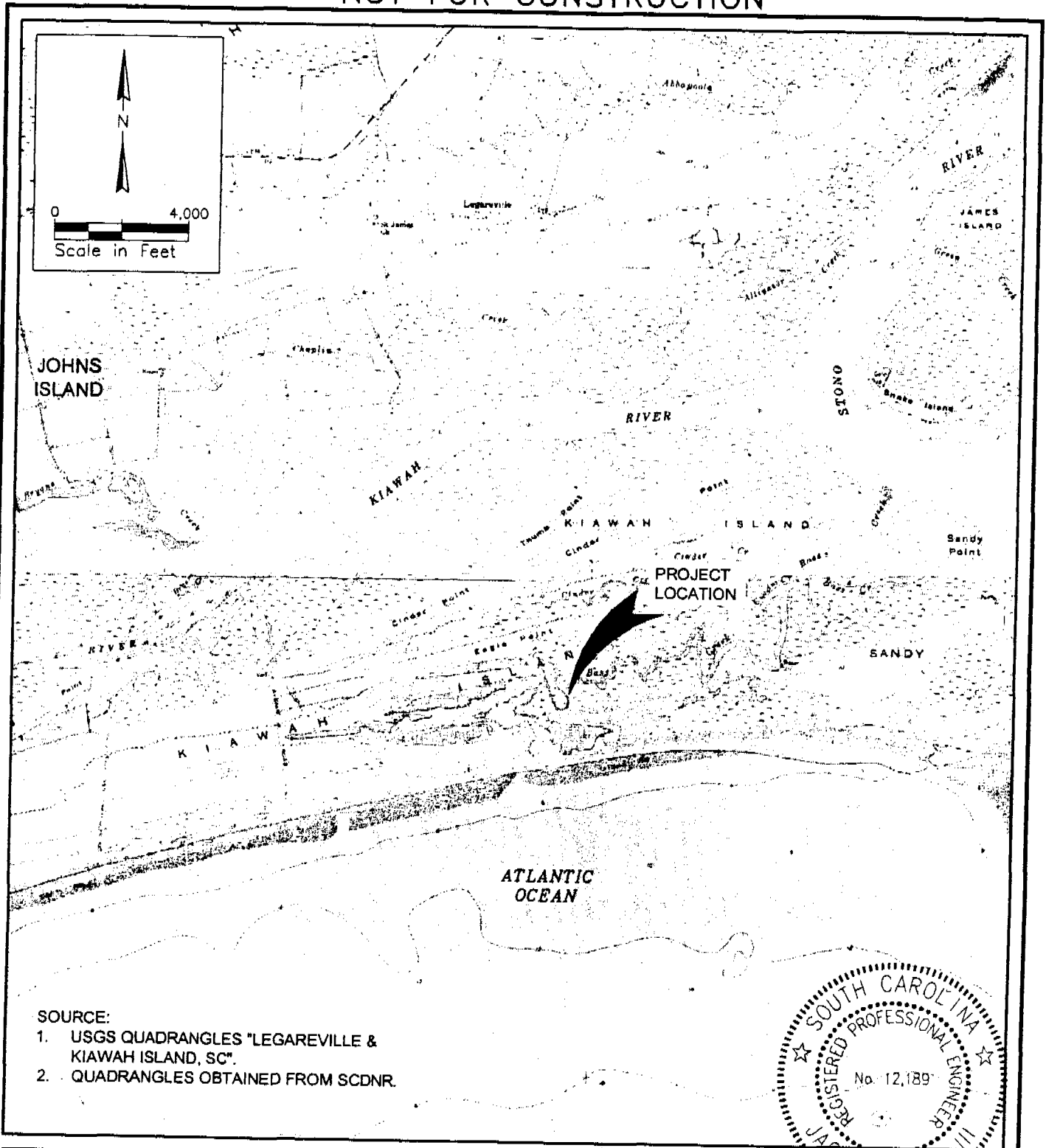
the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Christopher Mims, at 843-329-8044 or toll free at 1-866-329-8187.

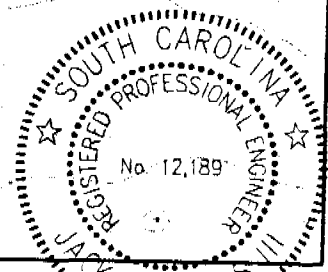
**Fred Mallett**  
**Project Manager**  
**BCDHEC-OCRM**

FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"



**SOURCE:**

1. USGS QUADRANGLES "LEGAREVILLE & KIAWAH ISLAND, SC".
2. QUADRANGLES OBTAINED FROM SCDNR.



PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B

DATE: 9/5/2007

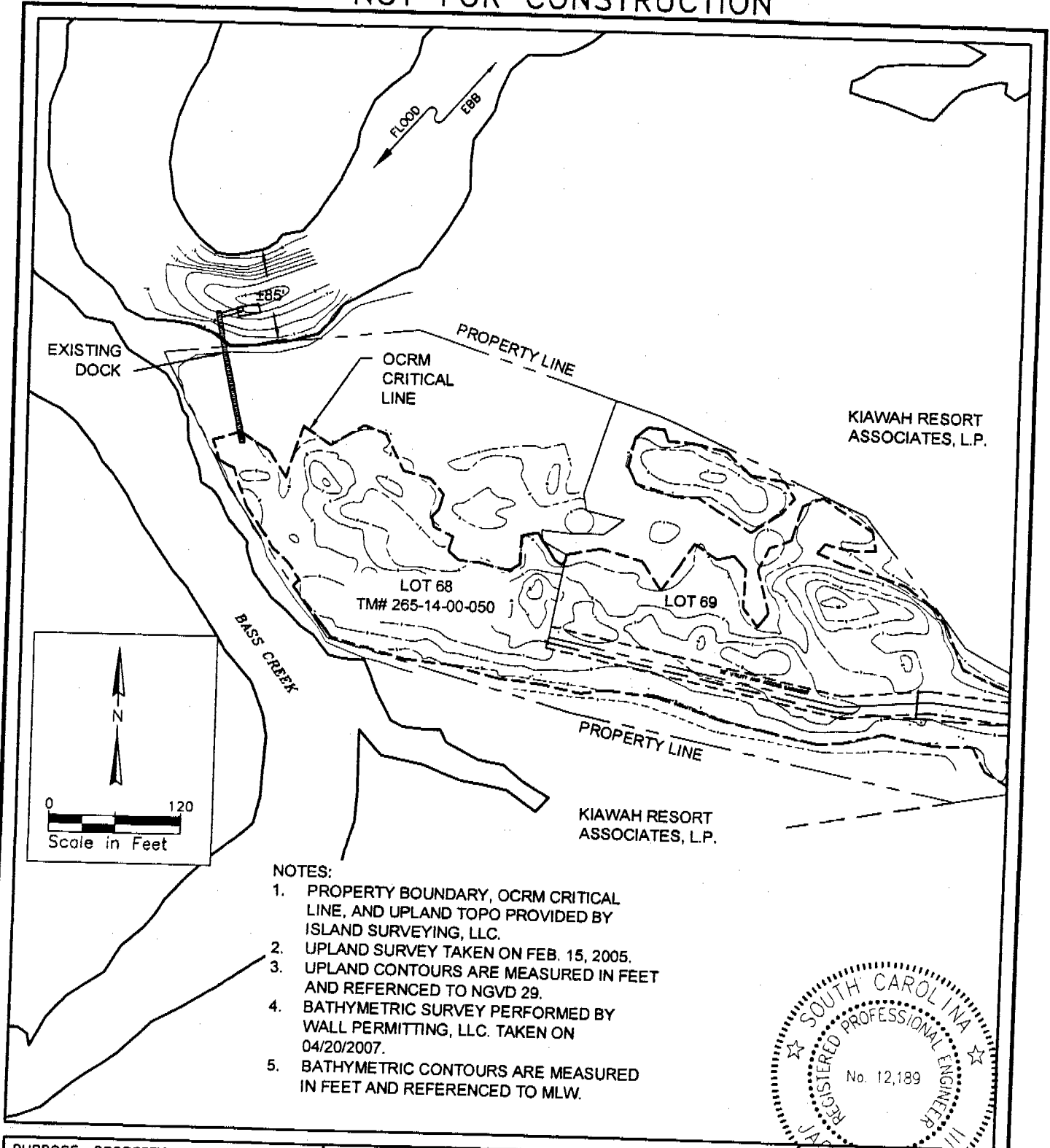
**LOCATION MAP**

AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

PROPOSED: BULKHEAD AND BOATLIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
**SAC 2007-2127-21M**

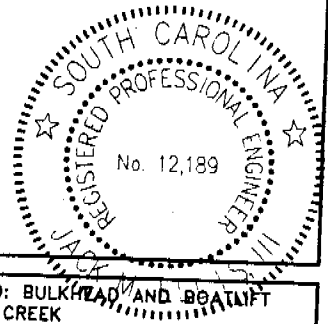
SHEET 1

FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"



NOTES:

1. PROPERTY BOUNDARY, OCRM CRITICAL LINE, AND UPLAND TOPO PROVIDED BY ISLAND SURVEYING, LLC.
2. UPLAND SURVEY TAKEN ON FEB. 15, 2005.
3. UPLAND CONTOURS ARE MEASURED IN FEET AND REFERENCED TO NGVD 29.
4. BATHYMETRIC SURVEY PERFORMED BY WALL PERMITTING, LLC. TAKEN ON 04/20/2007.
5. BATHYMETRIC CONTOURS ARE MEASURED IN FEET AND REFERENCED TO MLW.



PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B

DATE: 9/5/2007

EXISTING CONDITIONS

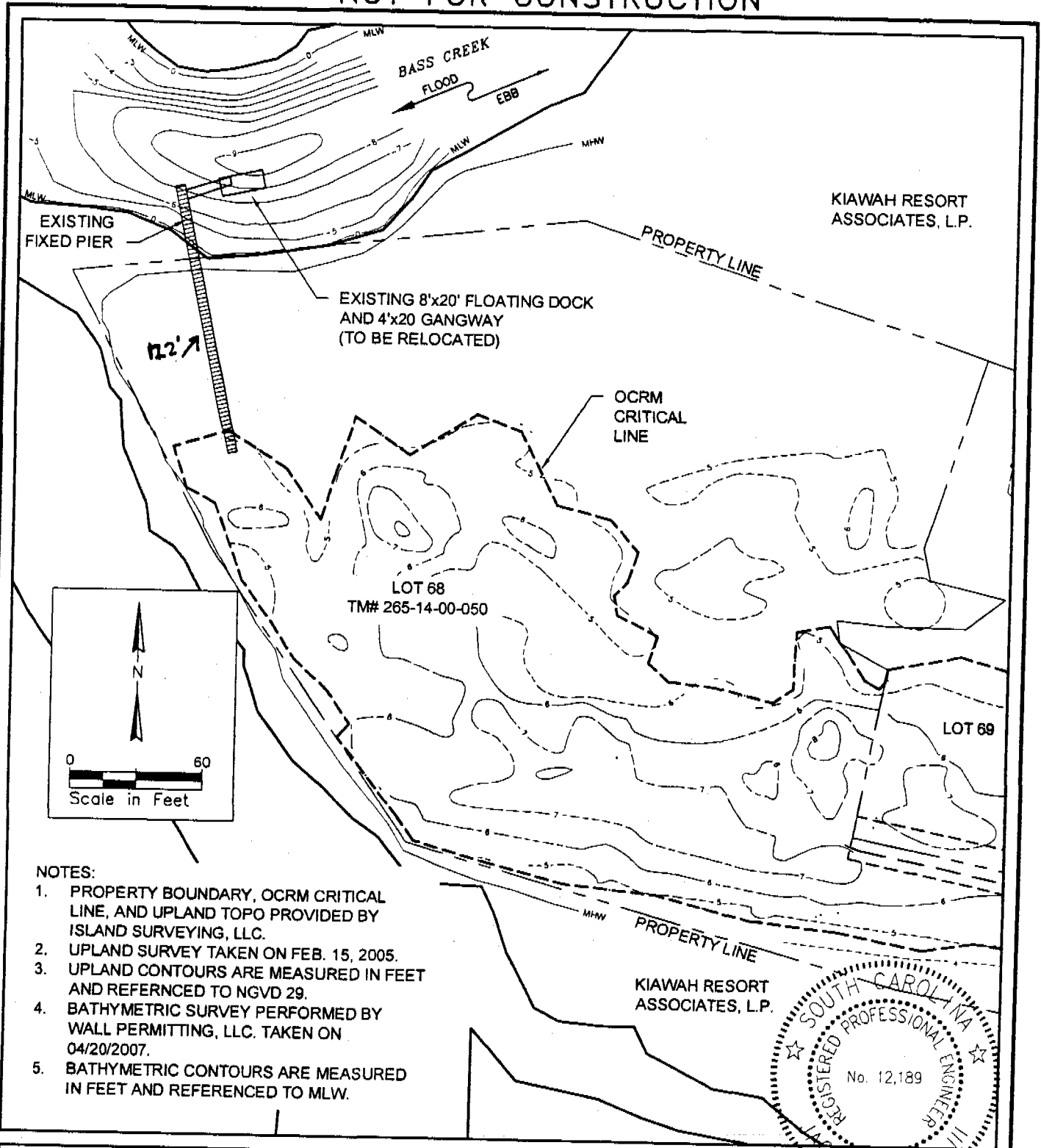
AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

PROPOSED: BULKHEAD AND BOATLIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
**SAC 2007-2127-21M**

REV. 10/03/07

SHEET 2

FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"



NOTES:

1. PROPERTY BOUNDARY, OCRM CRITICAL LINE, AND UPLAND TOPO PROVIDED BY ISLAND SURVEYING, LLC.
2. UPLAND SURVEY TAKEN ON FEB. 15, 2005.
3. UPLAND CONTOURS ARE MEASURED IN FEET AND REFERENCED TO NGVD 29.
4. BATHYMETRIC SURVEY PERFORMED BY WALL PERMITTING, LLC. TAKEN ON 04/20/2007.
5. BATHYMETRIC CONTOURS ARE MEASURED IN FEET AND REFERENCED TO MLW.

PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B

DATE: 9/5/2007

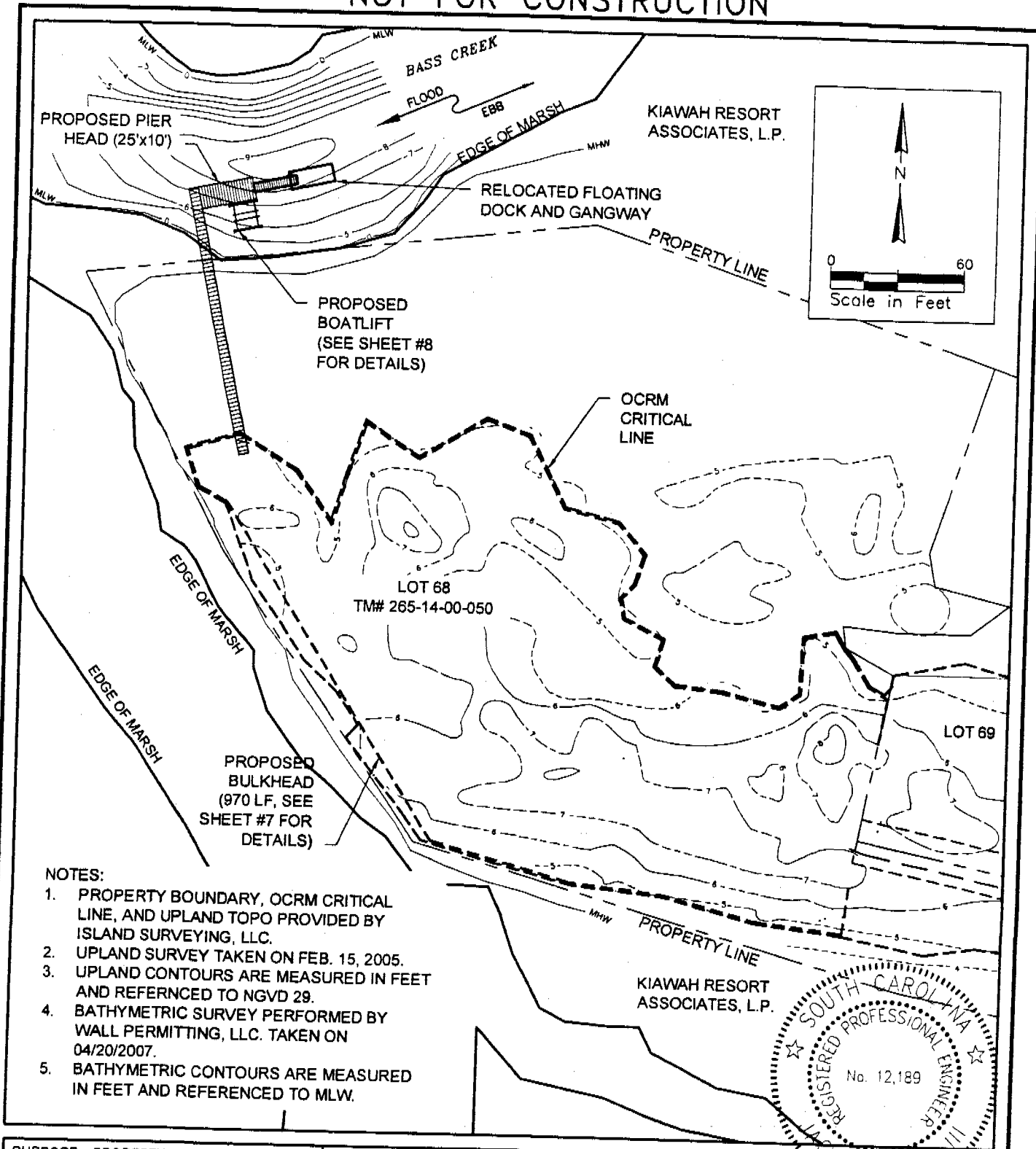
EXISTING CONDITIONS  
(MAGNIFIED VIEW)

AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

PROPOSED: BULKHEAD AND BOATLIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
SAC 2007-2127-21M

SHEET 3

FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"



PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B

DATE: 9/5/2007

PROPOSED IMPROVEMENTS

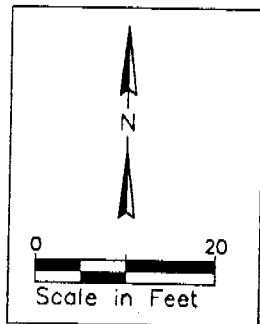
AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

PROPOSED: BULKHEAD AND BOATLIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
SAC 2007-2127-21M

SHEET 4



FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"



BASS CREEK  
FLOOD  
EBB

EDGE OF MARSH

PROPOSED  
PIER HEAD  
(SEE SHEET #8  
FOR DETAILS)

RELOCATED FLOATING  
DOCK AND GANGWAY  
(SEE SHEET #8  
FOR DETAILS)

EDGE OF MARSH

PROPOSED  
BOATLIFT  
(SEE SHEET #8  
FOR DETAILS)

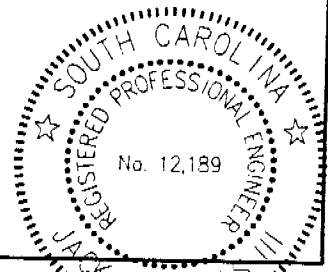
PROPERTY LINE

EXISTING  
FIXED PIER  
122 feet

LOT 68  
TM# 265-14-00-050

SOURCE:

1. PROPERTY BOUNDARY, OCRM CRITICAL LINE, AND UPLAND TOPO PROVIDED BY ISLAND SURVEYING, LLC.
2. UPLAND SURVEY TAKEN ON FEB. 15, 2005.



PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B

DATE: 9/5/2007

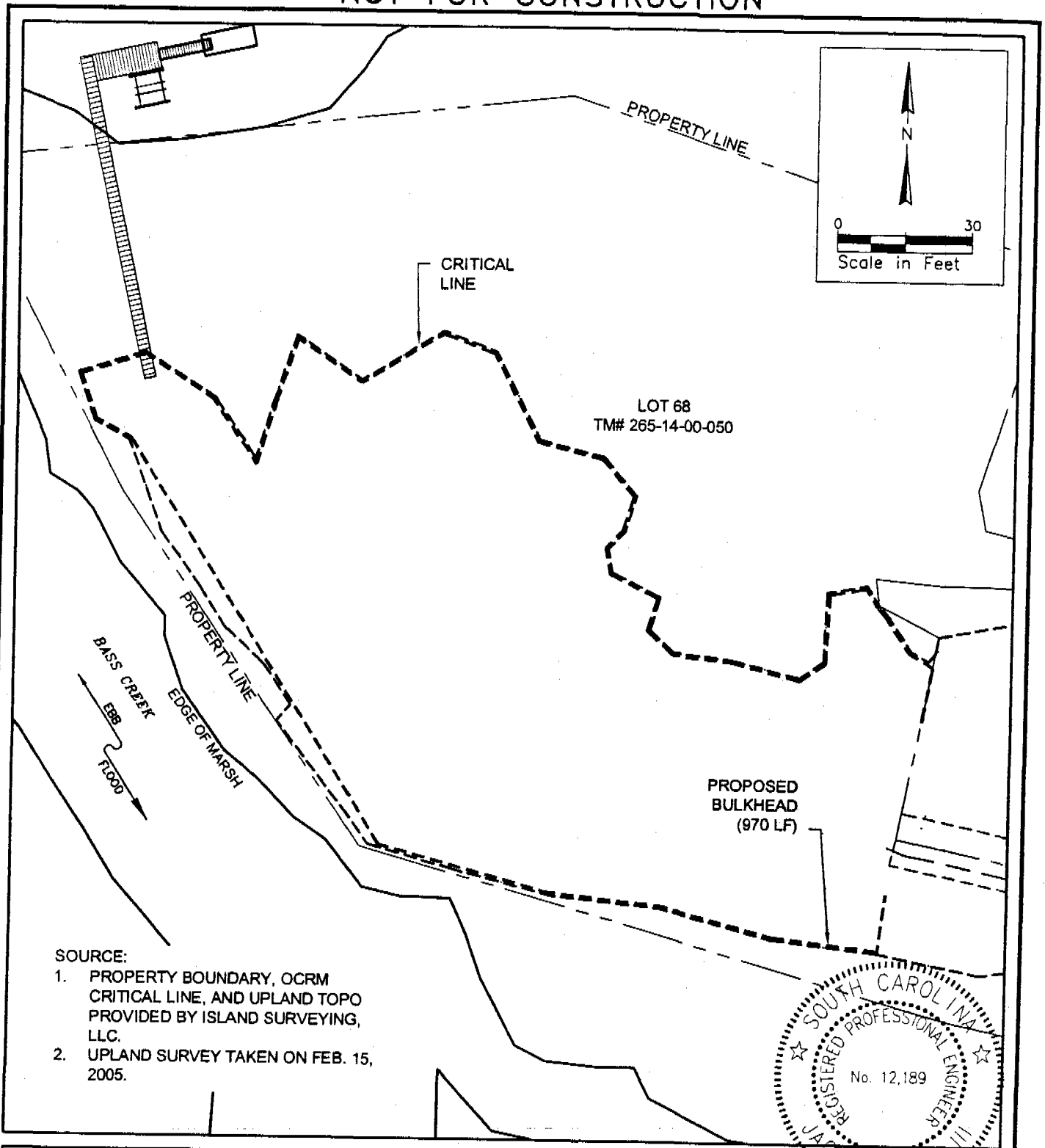
PROPOSED BOATLIFT AND  
FIXED PIER EXPANSION

AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

PROPOSED: BULKHEAD AND BOATLIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
SAC 2007-2127-21M

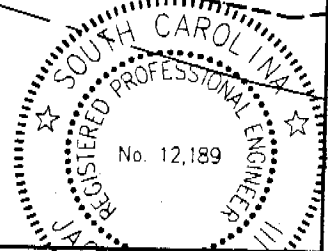
SHEET 5

FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"



SOURCE:

1. PROPERTY BOUNDARY, OCRM CRITICAL LINE, AND UPLAND TOPO PROVIDED BY ISLAND SURVEYING, LLC.
2. UPLAND SURVEY TAKEN ON FEB. 15, 2005.



PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B

DATE: 9/5/2007

PROPOSED BULKHEAD

AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

PROPOSED: BULKHEAD AND BOATLIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
SAC 2007-2127-214

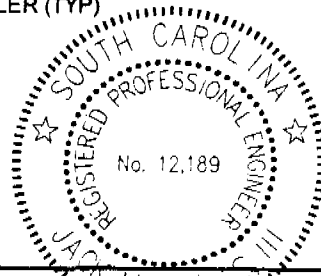
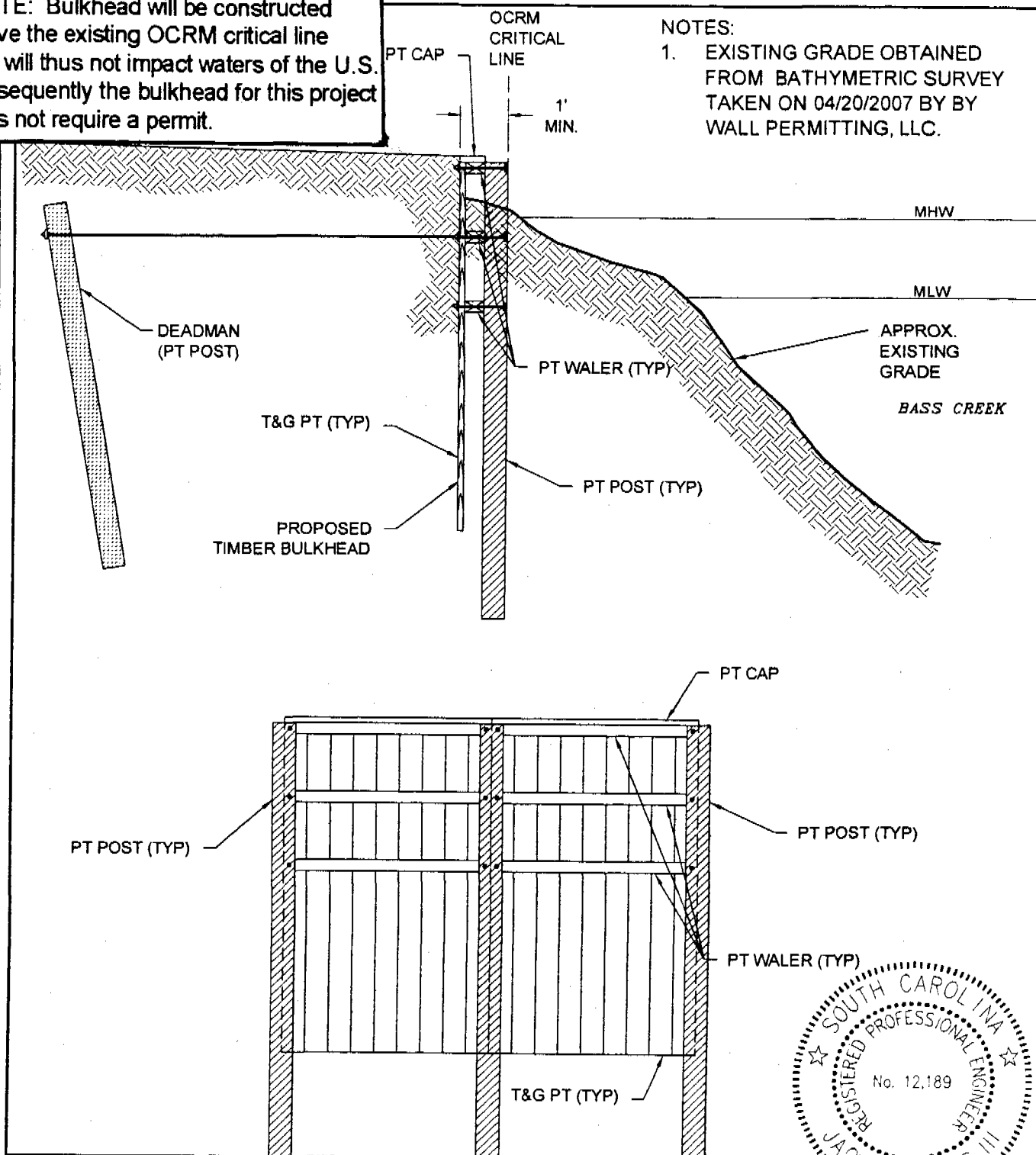
SHEET 6

FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"

\* NOTE: Bulkhead will be constructed above the existing OCRM critical line and will thus not impact waters of the U.S. subsequently the bulkhead for this project does not require a permit.

NOTES:

1. EXISTING GRADE OBTAINED FROM BATHYMETRIC SURVEY TAKEN ON 04/20/2007 BY WALL PERMITTING, LLC.



PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B  
DATE: 9/5/2007

PROPOSED BULKHEAD  
CROSS-SECTIONS

AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

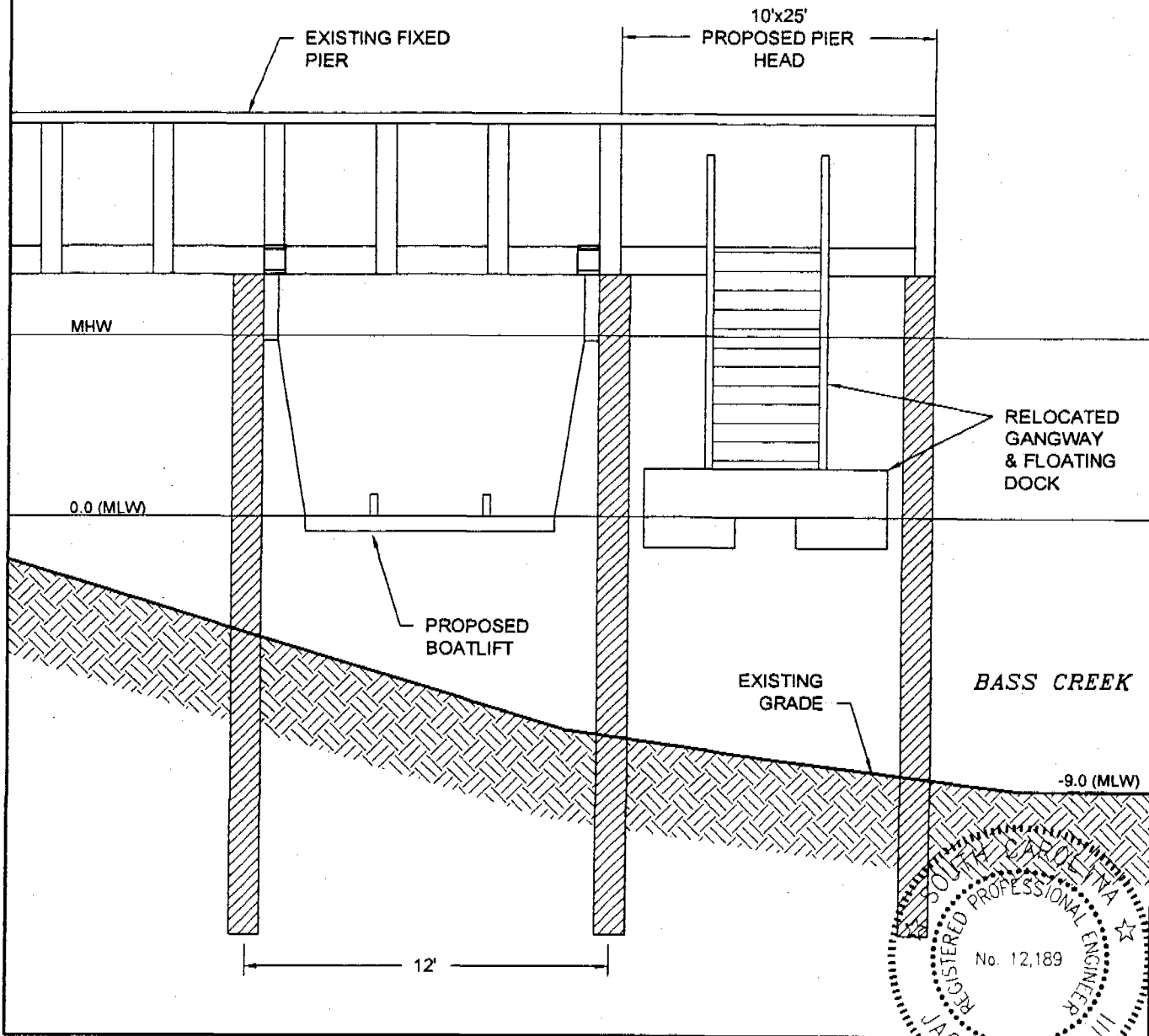
PROPOSED: BULKHEAD AND BOX LIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
**SAC 2007-2127-21M**  
REV. 10/03/07

SHEET 7

FOR PERMITTING PURPOSES ONLY  
"NOT FOR CONSTRUCTION"

NOTES:

1. EXISTING GRADE OBTAINED FROM BATHYMETRIC SURVEY TAKEN ON 04/20/2007 BY WALL PERMITTING, LLC.



PURPOSE: PROPERTY SCOUR PROTECTION  
DATUM:  
APPLICATION BY: LAWRENCE CULP  
USACE #  
ADJACENT PROPERTY OWNERS:  
SEE EXHIBIT B  
DATE: 9/5/2007

BOATLIFT AND PIER HEAD  
CROSS-SECTIONS

AJCWL LLC  
863 ALVERMAR RIDGE ROAD  
MCLEAN, VA 22102

PROPOSED: BULKHEAD AND BOATLIFT  
IN: BASS CREEK  
AT: BASS CREEK  
& OTTER ISLAND  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
SAC 2007-2127-21M

SHEET 8